

REMARKS

Claims 1-38 are currently pending in the application. Claims 1-38 were rejected. Claims 1-4, 6, 8, 10, 19, 23, 24, and 28 have been amended. Claim 38 has been canceled without prejudice.

The Examiner rejected claims 1-7, 9, 11-15, 19-24, 27, 30-32, 34, and 36-37 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,547,664 (Saunders). The Examiner also rejected claims 8, 10, 16-18, 25, 26, 28, 29, 33, and 35 under 35 U.S.C. 103(a) as being unpatentable over Saunders in view of various other references. Claims 1, 19, and 23 have been amended and the rejections are believed overcome.

Saunders describes a cashless gaming system in which printed tickets are employed having coded values, e.g., bar codes, printed thereon indicating the ticket value. The portion of the specification beginning at column 7, line 34, specifically identifies the kind of information which may be encoded on such a ticket including the cash-in value, the player name or ID, a PIN number, and a ticket number (see lines 44-52). At no place in the reference is there described a promotional device “having indicia of *game-specific* credit associated therewith for effecting operation of game code corresponding to a specific *game* on a gaming machine which is in communication with the promotional device.” Neither does Saunders teach a promotional device which identifies “the specific *game*,” and limits “use of the *game-specific* credit thereto.”

As correctly inferred by the Examiner, the Applicants intended that the phrase “specific gaming application” mean a particular game title, and that use of the indicia of credit recited in the various claims be limited to the game title. And although the Applicants disagree with the Examiner’s overly broad interpretation of the phrase “specific gaming application,” amendments to the claims have been proposed herein which the Applicants believe should clarify this point. That is, by using the phrase “a specific game” the claim is clearly referring to a particular game title, and not “any gaming application present in [a] casino” as interpreted by the Examiner.

In addition, the use of the descriptive phrase “game-specific” with regard to the recited “indicia of credit” further clarifies the distinction between the claimed invention and the teachings of Saunders. That is, it is clear from Saunders that the coded value on the printed tickets may be used indiscriminately on other gaming machines without regard to specific gaming applications as long as the card still has a cash-in value. For example, in the Background of the Invention, Saunders describes his cashless system as follows:

The present invention provides a solution to the problem by providing the player with a more convenient form of the highly popular tokens so that the play can walk away from a game with a physical item and the satisfaction of winning from a particular game *which the player can use to play another game or to “cash-in” at a cashier’s location.* (emphasis added)

Thus, the cashless approach described in Saunders cannot anticipate the present invention as recited in amended claim 1. That is, in order to be redeemable in the manner desired (i.e., for other games or for cash), the printed tickets in Saunders cannot be said to be “game-specific,” or limited to a “specific game.” The rejection of claim 1 over Saunders is therefore believed overcome.

The gaming machine and the method for operating a gaming machine of claims 19 and 23 have been amended to include similar limitations as those included in amended claim 1. The rejection of these claims is therefore believed overcome for at least the reasons discussed. In addition, the rejection of dependent claims 2-18, 20-22, and 24-37 are also believed overcome for at least the reasons discussed.

The Examiner rejected claim 38 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,764,666 (Bergeron). Claim 38 has been canceled without prejudice and the rejection is believed obviated thereby. The Applicants have not canceled claim 38 for any reason

related to patentability. Rather, claim 38 has been canceled to facilitate the issuance of the remaining claims which are believed to be in condition for allowance as discussed above. The Applicants reiterate (and incorporate herein by reference) the arguments set forth in the previous response relating to the patentability of this claim, and hereby reserve the right to pursue claim 38 and any other claim supported by the present specification in subsequent related applications.

In view of the foregoing, Applicants believe all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (510) 843-6200.

Respectfully submitted,
BEYER WEAVER & THOMAS, LLP

A handwritten signature in dark ink, appearing to read 'Joseph M. Villeneuve', with a long horizontal flourish extending to the right.

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